



**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Tomoko OHTSUKI

Group Art Unit: 2828

Application No.: 10/070,684

Examiner: A. RODRIGUEZ

Filed: September 12, 2002

Docket No.: 112162

For: LASER DEVICE AND EXPOSURE METHOD

**REQUEST FOR RECONSIDERATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the October 24, 2005 Office Action, Applicant requests reconsideration of this application. Claims 1-64 are pending.

Applicant notes with appreciation the allowance of claims 13, 14 and 53-58, and the identification of allowable subject matter in dependent claim 19. Applicant respectfully submits that all pending claims are in condition for allowance.

Claims 1, 11, 12, 20-28 and 47-52 stand rejected under 35 U.S.C. §102(e) over U.S. Patent No. 6,590,698 to Ohtsuki et al. This rejection is respectfully traversed.

Ohtsuki et al. has a U.S. filing date of March 30, 2000. Ohtsuki et al. is a continuation of PCT/JP98/05367 filed November 30, 1998. The PTO cannot rely on the PCT filing date of Ohtsuki et al. under 35 U.S.C. §102(e) because the PCT application was not published in the English language. The PCT application published as WO 99/46835 on September 16, 1999. Applicant submits a certified translation of the priority application for the present application, Japanese Patent Application No. 11-258133 filed in Japan on